

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

)  
MICHAEL GECKLER, et al. )  
)  
Plaintiffs, )  
)  
v. )  
SARA LEE, INC., )  
)  
Defendant. )  
)

Case No. C04-05271 HRL

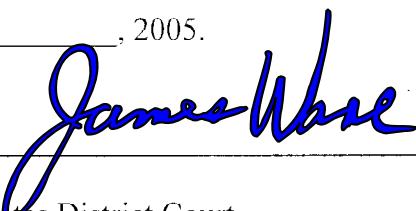


**CONSENT ORDER OF DISMISSAL**

This day came all the parties to this action by their respective attorneys of record and advised the Court that they had compromised and settled all of the claims in this suit. Whereupon, on their joint motion, it is accordingly ORDERED, ADJUDGED AND DECREED that this action be, and the same hereby is, DISMISSED WITH PREJUDICE, with each party to pay their own costs.

And the Clerk of the Court is directed to forthwith certify a copy of this Order to each counsel of record.

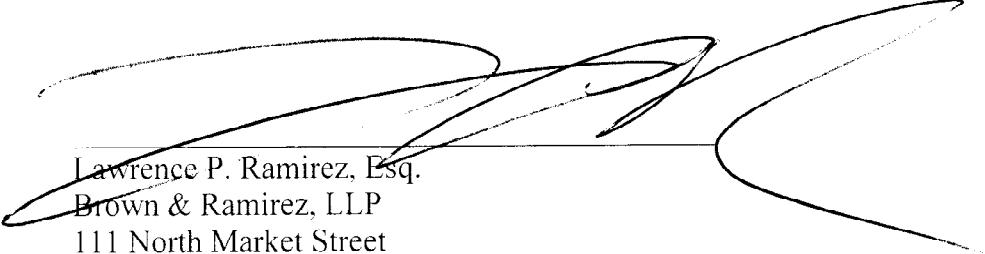
ENTERED THIS 28th DAY OF December, 2005.

  
\_\_\_\_\_  
Judge  
United States District Court  
Northern District of California  
San Jose Division

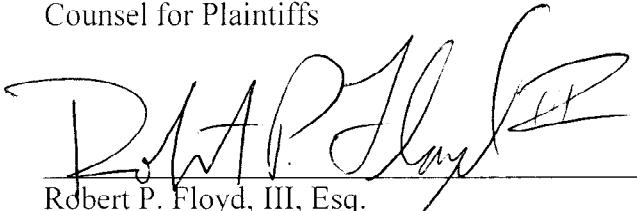
12/28/05

\_\_\_\_\_  
DATE

**AGREED AND CONSENTED TO:**

  
Lawrence P. Ramirez, Esq.  
Brown & Ramirez, LLP  
111 North Market Street  
Suite 1010  
San Jose, CA 95113  
408-971-1119 – telephone  
408-971-1129 – facsimile

Counsel for Plaintiffs

  
Robert P. Floyd, III, Esq.  
CONSTANGY, BROOKS & SMITH, LLC  
4100 Monument Corner Drive  
Suite 520  
Fairfax, Virginia 22030  
571-522-6100 – telephone  
571-522-6101 – facsimile

Counsel for Defendant

**CERTIFICATE OF PROOF OF SERVICE**

CASE NAME: GECKLER, ET AL. vs. SARA LEE, INC.

**CASE NUMBER:** UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION, CASE NO. C04-05271 JW

I, the undersigned, declare as follows:

I am employed in the County of Santa Clara, State of California. I am over the age of 18 and not a party to the within action; my address is 111 North Market Street, Suite 1010, San Jose, California, 95113.

On the date below, I served the foregoing documents described as:

## CONSENT ORDER RE DISMISSAL

on the following person(s) in this action:

*Robert P. Floyd, III  
Constangy, Brooks & Smith, LLC  
4100 Monument Corner Drive, Suite 520  
Fairfax, Virginia 22030*

*Richard Leasia  
Thelen Reid & Priest  
225 West Santa Clara Street, Suite 1200  
San Jose, CA 95113-1723*

x (VIA MAIL) I deposited such envelopes in the mail at San Jose, California. The envelopes were mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(VIA FAXSIMILE), by faxing said documents to the above-referenced person(s).

(VIA HAND DELIVERY) hand delivery of above said documents.

I declare under penalty of perjury under the laws of the State of California, and pursuant to 28 U.S.C. Sec. 1746, that the above is true and correct and that this declaration was executed at San Jose, California.

DATED: December 21, 2005

~~Lawrence P. Ramirez~~